

**347—215.2(91D) Initial employment wage rate.**

**215.2(1)** The wage rate requirement in rule 215.1(91D) does not apply until the employee has completed 90 calendar days of employment with the employer. The 90-day calendar period is counted from the employee's initial day of work. The employer shall pay to each employee who has not completed 90 calendar days of employment at least the following effective wage rates: Effective January 1, 1990, the state minimum initial employment wage rate shall be \$3.35 per hour; effective January 1, 1991, the state minimum initial employment wage rate shall be \$3.85 per hour; and effective January 1, 1992, the state minimum initial employment wage rate shall be \$4.25 per hour.

**215.2(2)** If the state minimum initial employment wage rate changes during the 90-calendar day period, the employer shall pay the new effective rate.

**215.2(3)** If, after less than 90 calendar days from the initial day of work, the employee's employment is terminated and the employee is rehired by the same employer within three years of the initial hiring, the initial employment wage rate in effect at rehiring may be paid until the 90-calendar-day employment period is reached. If, after 90 calendar days from the initial day of work, the employee's employment is terminated and the employee is rehired in less than three years from the last date of employment, the employee shall not be employed at the initial employment wage rate. The rates specified in 215.1(2) shall apply as the minimum wage rate.

**215.2(4)** In the event the federal minimum wage is greater than the rates established in 215.2(1), the employer is not required by these rules to pay the higher rate. The employer may be required to pay the higher rate under federal law.